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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,696	09/29/2003	Paul Jeffrey Garnett	5681-71600	4174
35690	7590	06/28/2005	EXAMINER	
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C. P.O. BOX 398 AUSTIN, TX 78767-0398			GOINS, DAVETTA WOODS	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,696

Applicant(s)

GARNETT, PAUL JEFFREY

Examiner

Davetta W. Goins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 16, 18, 20-25, 27, 29 and 30 is/are rejected.
- 7) ☒ Claim(s) 13-15, 17, 19, 26 and 28 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-12, 16, 18, 20-25, 27, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawrence et al. (US Pat. 6,867,701 B2) in view of Wong (US Pat. 5,790,374).

In reference to claims 1, 5, 18, 21-24, 27, Lawrence discloses a) the claimed light directed from an indicator light source, which is met by alert indicator LED 39 (col.3, lines 28-57), and b) the claimed photodetector configured to receive a portion of the light directed by the light to produce a signal representative of the portion of light, which is met by transceiver 50, which can be a photodiode, used to detect the light from LED 39 and produce a signal for activating a rack fault indicator 55 (col. 4, lines 1-25). Although Lawrence does not disclose a light guide, he does disclose that the transceiver 50 is located opposite of the LEDs 39 such that each LED 39 can be detected by each transceiver to produce a signal indicating the activity of the server (col. 4, lines 1-25). Wong discloses a system for providing an indication as to activity of disk drives similar to Lawrence except that he provides light conduits 29 that extend from the LEDs 27 to guide the LED light to the front panel of the disk drive, allowing the user to verify any fault indications detected by the system (col. 3, lines 21-67). Since Lawrence discloses a plurality of LEDs that transmit light that is detected by a photodiode, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a light guide, as disclosed by Wong, with

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the system of Lawrence, as a means for directing light from each disk drive when the light is located on a backplane and needs to be directed to the front panel for easy viewing.

In reference to claims 2, 8, although Lawrence does not specifically disclose the claimed photodetector connectable to a controller to provide a signal to the controller, he does disclose a transceiver 50, which can be a photodiode, used to detect the light from LED 39 and produce a signal for activating a rack fault indicator 55. The transceiver 50 further including a filter and means for determining whether the detected light has a specific wavelength (col. 4, lines 1-25). Since Lawrence discloses a system that includes a photodiode that can determine whether the light that's being detected is within a specific wavelength prior to transmitting a signal to a fault indicator 55, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a controller that will provide a means for processing the signal to ensure that the detected light is of a particular wavelength prior to sending the signal to a fault actuator.

In reference to claim 3, Lawrence discloses the claimed photodetector operable to detect at least one of a wavelength and an intensity of light, which is met by a transceiver 50, which can be a photodiode, used to detect the light from LED 39 and produce a signal for activating a rack fault indicator 55. The transceiver 50 further including a filter and means for determining whether the detected light has a specific wavelength (col. 4, lines 1-25).

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In reference to claims 4, 16, 25, Lawrence discloses a) the claimed plurality indicator light sources, which is met by LEDs 39 (Figure 1), and b) the claimed plurality of photodetectors, which is met by transceivers 50 (Fig. 1).

In reference to claims 6, 20, although Lawrence does not specifically disclose the claimed light guide comprising a cap of a light emitting diode, he does disclose a fault indicator 55 that represents a fault that's detected by the transceivers 50 receiving fault indicating lights from the LEDs 39 on the front panel of the server (col. 3, lines 2-67). Wong discloses a system for providing an indication as to activity of disk drives similar to Lawrence except that he provides light conduits 29 that extend from the LEDs 27 to guide the LED light to the front panel of the disk drive shown through lenses 25 (caps), allowing the user to verify any fault indications detected by the system (col. 3, lines 21-67). Since Lawrence discloses a plurality of LEDs that transmit light that is detected by a photodiode, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a light emitting guide comprising a cap of a light emitting diode, as disclosed by Wong, with the system of Lawrence to ensure that the LED light will be clearly seen at the end of the guide by the viewer.

In reference to claim 7, Lawrence discloses a) the claimed light directed from an indicator light source, which is met by alert indicator LED 39 (col. 3, lines 28-57), and b) the claimed photodetector configured to receive a portion of the light directed by the light to produce a signal representative of the portion of light, which is met by transceiver 50, which can be a photodiode, used to detect the light from LED 39 and produce a signal for activating a rack fault indicator 55

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(col. 4, lines 1-25). Lawrence does not disclose a light guide, nor the claimed photodetector connectable to a controller to provide a signal to the controller. However, Lawrence does disclose that the transceiver 50 is located opposite of the LEDs 39 such that each LED 39 can be detected by each transceiver to produce a signal indicating the activity of the server and transceiver 50, which can be a photodiode, used to detect the light from LED 39 and produce a signal for activating a rack fault indicator 55. The transceiver 50 further including a filter and means for determining whether the detected light has a specific wavelength (col. 4, lines 1-25). Wong discloses a system for providing an indication as to activity of disk drives similar to Lawrence except that he provides light conduits 29 that extend from the LEDs 27 to guide the LED light to the front panel of the disk drive, allowing the user to verify any fault indications detected by the system (col. 3, lines 21-67). Since Lawrence discloses a plurality of LEDs that transmit light that is detected by a photodiode, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a light guide, as disclosed by Wong, with the system of Lawrence, as well as include a controller, as a means for directing light from each disk drive when the light is located on a backplane and needs to be directed to the front panel for easy viewing and provide a means for processing the signal to ensure that the detected light is of a particular wavelength prior to sending the signal to a fault actuator.

In reference to claims 9, 10, Lawrence discloses the claimed controller is operable to produce an indication of a determined fault, which is met by fault indicator 55 (col. 4, lines 49-62).

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In reference to claim 11, Lawrence discloses the claimed controller is operable to assert an activation signal or a deactivation signal to the light source to activate or deactivate the light source respectively, which is met by server 35 determining whether there's a malfunction and then operating LEDs 39 that will in turn operate rack fault indicator 55 (col. 3, lines 28-67; col. 4, lines 40-62).

In reference to claim 12, Lawrence discloses the claimed photodetector is operable to detect at least one of a wavelength and an intensity of the light which it receives from the light guide, which is met by the transceiver 50 only passes light having a wavelength within a particular wavelength range specified for the filter of transceiver 50 (col. 4, lines 13-25).

In reference to claims 29, 30, Lawrence discloses the claimed computer system asserting an activate signal to an indicator light source comprised in the computer system; receive a signal from a photodetector comprised in the computer system, wherein the photodetector is configured to receive a portion, which is met by alert indicator LED 39 (col.3, lines 28-57); transceiver 50, which can be a photodiode, used to detect the light from LED 39 and produce a signal for activating a rack fault indicator 55 (col. 4, lines 1-25). Although Lawrence does not disclose a light guide, he does disclose that the transceiver 50 is located opposite of the LEDs 39 such that each LED 39 can be detected by each transceiver to produce a signal indicating the activity of the server (col. 4, lines 1-25). Wong discloses a system for providing an indication as to activity of disk drives similar to Lawrence except that he provides light conduits 29 that extend from the LEDs 27 to guide the LED light to the front panel of the disk drive, allowing the user to verify

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any fault indications detected by the system (col. 3, lines 21-67). Although Lawrence does not specifically disclose the claimed means to determine whether the signal is consistent with the presence of a fault, he does include a filter with a transceiver 50 that will filter out specific wavelengths that will indicate that a fault has been detected by server 35 (col. 3, lines 27-66; col. 4, lines 1-25). Since Lawrence discloses a filter, it would have been obvious to one of ordinary skill in the art at the time of the invention to determine whether the signal is consistent with a fault to ensure that the LEDs will correctly read as being a fault to the user as well as include a light guide, as disclosed by Wong, with the system of Lawrence, as a means for directing light from each disk drive when the light is located on a backplane and needs to be directed to the front panel for easy viewing.

Allowable Subject Matter

3. Claims 13-15, 17, 19, 26, 28, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. Novak (US Pat. 5,754,112) and Gamble et al. (US Pat. 6,231,224 B1), which disclose servers that determine the activity of storage devices and give an indication of a fault.


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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957.

The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



D.W.G.

June 22, 2005

Davetta W. Goins
Primary Examiner
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